

**IN THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION**

<b>IN RE:</b>	)	
	)	
<b>STEVEN PAUL BUTNER,</b>	)	<b>CASE NO. 16-08959-JMC-7</b>
<b>Debtor.</b>	)	
	)	
	)	
<b>ARTHUR ELSTON AND MARY ELSTON</b>	)	
<b>Plaintiffs</b>	)	
	)	
<b>v.</b>	)	<b>ADV. PROC. NO. 17-50184</b>
	)	
<b>STEVEN PAUL BUTNER</b>	)	
<b>Defendant.</b>	)	

**FINAL EXHIBIT LIST**

Come now, Arthur and Mary Elson, by counsel Penny L. Carey, and pursuant to the Court's May 7, 2018, Order Continuing Trial Date and Resetting Cut-off Dates, hereby submit their Exhibit List. Plaintiffs' may introduce the following as Exhibits at the trial scheduled for September 17, 2018:

1. Contract dated June 26, 2015, between Energy Secure Solutions and the Plaintiffs. (Attached to Plaintiffs' Complaint as Exhibit A).
2. Complaint filed by the Plaintiffs against Energy Secure Solutions in the Boone Superior Court 2 on March 29, 2016. (Attached to Plaintiffs' Complaint as Exhibit B).
3. 2009 1040, U.S. Individual Income Tax Return and Indiana Full-Year Resident Income Tax Return, IT-40 for Defendant and Spouse. (Butner 001690-001727).
4. 2010 1040, U.S. Individual Income Tax Return and Indiana Full-Year Resident Income Tax Return, IT-40 for Defendant and Spouse. (Butner 00179- 001768).
5. 2011 1040, U.S. Individual Income Tax Return and Indiana Full-Year Resident Income Tax Return, IT-40 for Defendant and Spouse. (Butner 001769-001799).

6. 2012 1040, U.S. Individual Income Tax Return and Indiana Full-Year Resident Income Tax Return, IT-40 for Defendant and Spouse. (Butner 001800-001842).
7. 2013 1040, U.S. Individual Income Tax Return and Indiana Full-Year Resident Income Tax Return, IT-40 for Defendant and Spouse. (Butner 001423-001463).
8. 2014 1040, U.S. Individual Income Tax Return and Indiana Full-Year Resident Income Tax Return, IT-40 for Defendant and Spouse. (Butner 001464-001511).
9. 2015 1040, U.S. Individual Income Tax Return and Indiana Full-Year Resident Income Tax Return, IT-40 for Defendant and Spouse. (Butner 001512-001575).
10. 2016 1040, U.S. Individual Income Tax Return and Indiana Full-Year Resident Income Tax Return, IT-40 for Defendant and Spouse. (Butner 001843-001890).
11. 2009 1120S, U.S. Income Tax Return for an S Corporation and Indiana Form IT-20A-S Corporation Tax Return for Energy Secure Solutions, Inc. (Butner 001891-001926).
10. 2010 1120S, U.S. Income Tax Return for an S Corporation and Indiana Form IT-20A-S Corporation Tax Return for Energy Secure Solutions, Inc. (Butner 001927-001959).
12. 2011 1120S, U.S. Income Tax Return for an S Corporation and Indiana Form IT-20A-S Corporation Tax Return for Energy Secure Solutions, Inc. (Butner 001961-1966).
13. 2012 1120S, U.S. Income Tax Return for an S Corporation and Indiana Form IT-20A-S Corporation Tax Return for Energy Secure Solutions, Inc. (Butner 001997-002034).
14. 2013 1120S, U.S. Income Tax Return for an S Corporation and Indiana Form IT-20A-S Corporation Tax Return for Energy Secure Solutions, Inc. (Butner 001576-001614).
15. 2014 1120S, U.S. Income Tax Return for an S Corporation and Indiana Form IT-20A-S Corporation Tax Return for Energy Secure Solutions, Inc. (Butner 001615-001652).

16. 2015 1120S, U.S. Income Tax Return for an S Corporation and Indiana Form IT-20A-S Corporation Tax Return for Energy Secure Solutions, Inc. (Butner 001653-001689).
17. Photo copy of business card for Defendant. (Butner 000187).
18. Statement detailing payments made from the bank account located at PNC for Energy Secure Solutions, Inc, to pay Defendant's personal liabilities/expenses by Defendant. (Butner 000150).
19. Security Agreement between Steven Butner and Camp Wright Investments, LLC dated March 19,2014. (Butner 000027-000035).
20. Security Agreement between Energy Secure Solutions, Inc. and Camp Wright Investments, LLC dated Marcy 19, 2014 and purportedly signed by Steven Butner as President of Energy Secure Solutions, Inc. and by Dr. Gary Wright for Camp Wright Investments, LLC. (Butner 000037-000045).
21. Agreement to Recapitalize Corporation dated March 19, 2014. (Butner 000047-000049).
22. Complaint filed by Dr. Clark Simmons against Energy Secure Solutions, Inc. and Steven Butner on May 12, 2016.
23. Complaint filed by M. Louise Curtis against Steve Butner on June 29,2016.
24. Complaint filed by the Indiana Attorney General's Office on behalf of Tom Foltz on December 28,2017.
25. Incorporation, Dissolution, Business Entity Report and Change of Address documentation for Energy Secure Solutions, Inc.
26. Photo copy of check #9069 (front and back) dated July 9, 2015 to Energy Secure Solutions in the amount of Fifteen Thousand Dollars and Zero Cents (\$15,000).
27. Any and all documents filed with United States Bankruptcy Court, Southern District of Indiana, Indianapolis Division, in bankruptcy case number 16-08959-JMC-7, In Re: Steven Paul Butner as well as in this adversary case.
26. Any and all documents attached to filings this adversary case.

27. All discovery requests or responses served by any party in course of discovery in this case
28. Any document or thing produced, referenced, or identified in the course of discovery in this adversary case.
29. Any document necessary to lay a foundation or authenticate a document.
30. Any exhibit listed by any party in this adversary case.
31. Any document necessary for impeachment or rebuttal.

Plaintiffs hereby reserve the right to add to, delete from or otherwise amend the preceding list of exhibits and to present any and all documentary evidence necessary to address or rebut matters put into evidence by any other party at trial.

Respectfully Submitted,

/s/ Penny L. Carey

Penny L. Carey

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**CERTIFICATE OF SERVICE**

I hereby certify that I have personally served via first class mail upon the following the above Final Witness List on this 4th Day of September, 2018 by first class United States Mail at the following address or through the Court's electronic case filing system (ECF):

United States Trustee, [ustregion10.in.ecf@usdoj.gov](mailto:ustregion10.in.ecf@usdoj.gov) (ECF)

Gregory Silver, Chapter 7 Trustee, [trusteesilver@yahoo.com](mailto:trusteesilver@yahoo.com) (ECF)

John C. Cannizaro, Counsel for Defendant, [john.cannizzaro@icemiller.com](mailto:john.cannizzaro@icemiller.com) (ECF)

Thomas E. Mixdorf, Counsel for Defendant, [Thomas.mixdorf@icemiller.com](mailto:Thomas.mixdorf@icemiller.com) (ECF)

/s/ Penny L. Carey

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